


November 12, 2021

SO ORDERED.


LEWIS J. LIMAN
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HC2, INC.,

Plaintiff,

v.

ANDREW DELANEY,

Defendant.

Civil Action No.: 1:20-cv-3178 (LJL)

**STIPULATION OF DISCONTINUANCE,
WITHDRAWAL AND DISMISSAL OF AMENDED COUNTERCLAIMS**

WHEREAS, on December 23, 2020, defendant, Andrew J. Delaney (“Delaney”), filed a voluntary petition for bankruptcy under Chapter 7 of the United States Bankruptcy Code, in the United States Bankruptcy Court for the Eastern District of New York, Case No. 1-20-44372-jmm; and

WHEREAS, on December 23, 2020, Gregory Messer, Esq. was appointed as the Chapter 7 Trustee of the bankruptcy estate of Delaney (the “Trustee”); and

WHEREAS, on July 31, 2021, Delaney filed his first amended answer and counterclaims (Doc. 74) against HC2 in this lawsuit.

IT IS THEREFORE stipulated and agreed by and among plaintiff, HC2, Inc., and the Trustee on behalf of the bankruptcy estate of Delaney, that Delaney’s first amended counterclaims filed in this action (Doc. 74) be, and the same hereby are, voluntarily discontinued, withdrawn and dismissed, with prejudice.

OGLETREE, DEAKINS, NASH, SMOAK
& STEWART, P.C.
Attorneys for plaintiff, HC2, Inc.

By:



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DATED: November 9, 2021

GREGORY MESSER, ESQ.
Chapter 7 Trustee for the bankruptcy estate of
defendant, Andrew Delaney



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DATED: October 6, 2021